

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 21-C-711

APPROXIMATELY \$44,000 U.S. CURRENCY,

Defendant.

**DECISION AND ORDER GRANTING PLAINTIFF'S MOTION TO STRIKE THE
CLAIM AND ANSWER FILED BY CLAIMANT WILL TAYLOR, SR., AND FOR
ENTRY OF DEFAULT JUDGMENT**

This matter comes before the court on the United States of America's motion to strike the claim and answer of Claimant Will Taylor, Sr., and for entry of default judgment. On October 14, 2022, the court granted the United States' motion to compel and ordered Taylor to provide responsive information to the United States' discovery requests by October 24, 2022. The United States asserts that, to date, Taylor has not responded to any of its pending discovery requests. Taylor has not responded to the United States' motion to strike and for entry of default judgment.

Rule 37 of the Federal Rules of Civil Procedure authorizes a court to enter a default judgment against a party who fails to obey an order to provide or permit discovery. Fed. R. Civ. P. 37(b)(2)(A)(vi); *see also Newman v. Metro Pier & Exposition Auth.*, 962 F.2d 589, 591 (7th Cir. 1992) ("A [party's] failure to comply with discovery orders is properly sanctioned . . . by entry of a default judgment."). The court finds that Taylor has failed to comply with the court's October 14, 2022 order directing him to respond to the United States' interrogatories and requests for Taylor's federal and state tax returns with all attachments for the years 2016 through 2020. Based

on Taylor's failure to comply with his discovery obligations and to comply with the court's order, the court concludes that default judgment is the appropriate sanction for Taylor's conduct. Accordingly, the court will strike Taylor's claim and answer and enter default judgment in favor of the United States.

IT IS THEREFORE ORDERED that the United States' motion to strike the claim and answer of Claimant Will Taylor, Sr., and for entry of default judgment (Dkt. No. 43) is **GRANTED**.

IT IS FURTHER ORDERED that, pursuant to Federal Rule of Civil Procedure 37(b)(2)(A)(iii), Claimant Will Taylor, Sr.'s claim and answer (Dkt. Nos. 14 & 16) are **STRICKEN**.

IT IS FURTHER ORDERED that the defendant property, approximately \$44,000.00 in United States currency, is forfeited to the United States of America and that no right, title, or interest in the defendant property shall exist in any other party.

IT IS FURTHER ORDERED that the defendant property shall be seized forthwith by the United States Marshal Service for the Eastern District of Wisconsin or its duly authorized agent and shall be disposed of according to law.

The Clerk is directed to enter judgment accordingly.

Dated at Green Bay, Wisconsin this 16th day of November, 2022.

s/ William C. Griesbach

William C. Griesbach
United States District Judge